Exhibit M

Case 1:01-cv-00725-YK Docum **Min2 Page** [™] Filed 12/29/2003 Page 2 of 11

IN THE UNITED STATES DISTRICT COURT	1	INDEX	Page .
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA	2	WITNESS	
BARBARA E. VARNER,	3	William Brandt Exami	nation
Plaintiff, CIVIL ACTION No. 1:CV 01-0725	4	By Mr. Dellasega	4
vs	5	By Mr. Adams	47
COMMONWEALTH OF PENNSYLVANIA, . (JUDGE YVETTE KANE)		By Ms. Williams	56
NINTH JUDICIAL DISTRICT, CUMBERLAND COUNTY; CUMBERLAND .	6	•	59
COUNTY; S. GARETH GRAHAM,	7	By Ms. Wallet	33
Individually, and JOSEPH OSENKARSKI, individually,	8		
Defendants.	9		
Deposition of: WILLIAM A. BRANDT	10	EXHIBITS	
Taken by : Defendant Cumberland County Court	11	(None marked)	
Date : April 4, 2003, 9:30 a.m.	12		
Demonstrative National Material	13	* * * * *	
1 a by Caunthause	14		
Place : Cumberland County Courthouse One Courthouse Square	15		
Carlisle, Pennsylvania	1		
APPEARANCES:	16		
DEBRA K. WALLET, ESQUIRE	17		
For - Plaintiff	18		
ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS BY: A. TAYLOR WILLIAMS, ESQUIRE	19		
For - Defendant Commonwealth of Pennsylvania Ninth Judicial District, Cumberland County	20		
THOMAS, THOMAS & HAFER	21		
BY: JAMES K. THOMAS, II, ESQUIRE	22		
PAUL J. DELLASEGA, ESQUIRE For - Defendant Cumberland County	23		
	24		
	25		
	+		Page
Page		CTIDI II ATION	
APPEARANCES (continued):	1	STIPULATION	n tha
MONTGOMERY, MCCRACKEN, WALKER & RHOADS, LLP BY: L. KRISTEN BLANCHARD, ESQUIRE	2	It is hereby stipulated by and betwee	n uie
For - Defendant S. Gareth Graham	3	respective parties that sealing, certifica	
SWEENEY & SHEEHAN, P.C. BY: PAUL LANCASTER ADAMS, ESQUIRE	4	filing are waived; and that all objections except	as to
For - Defendant Joseph L. Osenkarski	5	the form of the question are reserved until the t	ime of
	6	trial.	
ALSO PRESENT:		titui.	
MS. BARBARA E. VARNER	7	WILLIAM BRANDT, called as a witness	s hein
MR. S. GARETH GRAHAM	8	WILLIAM BRANDI, cancer as a witness	fallov
MR. JOSEPH L. OSENKARSKI	9	duly sworn, was examined and testified, as	101104
	10	BY MR. DELLASEGA:	
	11	Q Mr. Brandt, my name is Paul Dellasega, I repre	esent th
	12	county in this matter.	
	13	Have you testified before in any proceeding	, sir?
	14	A. No.	
	1	_ 11 . 0	
	15	Q In any court proceeding? A. In something of this matter? Or just get	nerally
	16		aci airj
	17	Q Have you ever testified?	
	18	A. Yes, sir.	
	1	Q Okay. Have you ever been deposed?	
	19	A. No.	
	- 1	11. 1104	
	20		estion,
	20 21	Q Okay. You understand that if we ask you a qu	estion, tell me
	20 21 22	Q Okay. You understand that if we ask you a qu you don't understand the question, you should	estion, tell me
	20 21 22 23	Q Okay. You understand that if we ask you a qu you don't understand the question, you should that?	estion, tell me
	20 21 22	Q Okay. You understand that if we ask you a qu you don't understand the question, you should	tell me

		William	-1 a _{	<u>5</u> C	
		Page 5			Page 7
1		understand the question?	1	Q	Was this your first job after college?
2		(Witness nodded head affirmatively.)	2	A.	Correct.
3		When were you first hired by the county?	3	0	As an intern were you a regular full-time employee of
4		1990.	4	•	the county?
		In what capacity?	5	Α.	Yes, I was.
5		As an intern originally, and then eventually as a	6	0	Did you receive benefits?
6	А.	probation officer.	7	•	No, I did not.
\int_{0}^{7}	^	As an intern in the Probation Department?	8		How did your status change from intern to probation
8	-	Correct.	9	~	officer without benefits?
9		When you became a probation officer, were you probation	10	Α.	I don't think I understand that question, how did it
10	Q	officer 1?	11		change?
11		Actually, the confusion is that I started as a probation		Q	After two months you stopped being an intern.
12	Α.	officer but not with full benefits for a period of two	13	_	
13				0	And became a probation officer who did not get benefits.
14		months. But eventually, yes, as a probation officer 1,	15	•	~
15		within the 1990 year.	16		How did that change in status come about?
16		Let me ask you this. What is your date of hire?	i	-	I don't understand what you mean by status. I mean, I
17	A.	That's also very confusing. It's either August of '90	17	A.	had assumed a caseload.
18		or October of '90, depending on who you ask.	18	^	One day you were called an intern and the next day you
19	Q	All right. Why would some people contend it's August of	19	Q	were called a probation officer, correct?
20		'90?	20		
21	A.	I would, because I was a full-time probation officer in	21		Correct.
22		August of 1990; however, it was not with benefits paid		Q	And you changed in title
23		by the county. October 13th of '90 is when I became	23		Correct.
24		full-time with benefits as a probation officer 1.	24	Q	from intern to probation officer
25	Q	When were you hired as an intern?	25	Α.	Correct.
		Page 6			Page 8
١,					
1 1	A.	June 4th of that year.	1	Q	who happened not to have benefits. How did what
1 2		June 4th of that year. So you were an intern for two months	1 2		change in title come about?
$\begin{vmatrix} 1\\2\\3 \end{vmatrix}$	Q	June 4th of that year. So you were an intern for two months Correct.	1		change in title come about? As I explained, Dave, another probation officer, got
2 3	Q A.	So you were an intern for two months Correct.	2 3		change in title come about?
2 3 4	Q	So you were an intern for two months Correct roughly, and then you became a probation officer	2 3		change in title come about? As I explained, Dave, another probation officer, got
2 3 4 5	Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits?	2 3 4		change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during
2 3 4 5 6	Q A. Q A.	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct.	2 3 4 5		change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of
2 3 4 5 6 7	Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer	2 3 4 5 6		change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within
2 3 4 5 6 7 8	Q A. Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits?	2 3 4 5 6 7		change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time.
2 3 4 5 6 7 8 9	Q A. Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another	2 3 4 5 6 7 8	Α.	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time.
2 3 4 5 6 7 8 9	Q A. Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for	2 3 4 5 6 7 8 9	A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1
2 3 4 5 6 7 8 9 10	Q A. Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out	2 3 4 5 6 7 8 9	A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else?
2 3 4 5 6 7 8 9 10 11 12	Q A. Q A. A.	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period.	2 3 4 5 6 7 8 9 10 11	A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not
2 3 4 5 6 7 8 9 10 11 12 13	Q A. Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college	2 3 4 5 6 7 8 9 10 11 12	A. Q Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure.
2 3 4 5 6 7 8 9 10 11 12 13 14	Q A. Q Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate?	2 3 4 5 6 7 8 9 10 11 12 13	A. Q Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A. Q Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to	2 3 4 5 6 7 8 9 10 11 12 13	A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title? I never did again.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A. Q Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to complete my internship to actually fulfill my practicum,	2 3 4 5 6 7 8 9 10 11 12 13 14	A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A. Q A. Q A.	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to complete my internship to actually fulfill my practicum, but technically, no, I didn't graduate until August.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Q A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title? I never did again.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A. Q A. Q Q Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to complete my internship to actually fulfill my practicum, but technically, no, I didn't graduate until August. Had you previously been employed by the county?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Q A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title? I never did again. You are currently a senior probation officer?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A. Q A. Q A.	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to complete my internship to actually fulfill my practicum, but technically, no, I didn't graduate until August. Had you previously been employed by the county? Never.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Q A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title? I never did again. You are currently a senior probation officer? Correct.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A. Q A. Q A. Q Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to complete my internship to actually fulfill my practicum, but technically, no, I didn't graduate until August. Had you previously been employed by the county? Never. By the court?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Q A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title? I never did again. You are currently a senior probation officer? Correct. Is there such a title as probation officer 2?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A. Q A. Q A. Q A.	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to complete my internship to actually fulfill my practicum, but technically, no, I didn't graduate until August. Had you previously been employed by the county? Never. By the court? No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Q A. Q A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title? I never did again. You are currently a senior probation officer? Correct. Is there such a title as probation officer 2? Yes, there is.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A. Q A. Q A. Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to complete my internship to actually fulfill my practicum, but technically, no, I didn't graduate until August. Had you previously been employed by the county? Never. By the court? No. By any county?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Q A. Q A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title? I never did again. You are currently a senior probation officer? Correct. Is there such a title as probation officer 2? Yes, there is. You are not a PO-II?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A. Q A. Q A. Q A. Q A.	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to complete my internship to actually fulfill my practicum, but technically, no, I didn't graduate until August. Had you previously been employed by the county? Never. By the court? No. By any county?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q A. Q A. Q A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title? I never did again. You are currently a senior probation officer? Correct. Is there such a title as probation officer 2? Yes, there is. You are not a PO-II? Correct.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A. Q A. Q A. Q A. Q	So you were an intern for two months Correct roughly, and then you became a probation officer without benefits? Correct. And two months later, you became a probation officer with benefits? Correct. I actually covered for a gentleman, another probation officer who was fighting in Desert Storm for August and September of that year, and it worked out that I covered for him at that time period. When you came in as an intern, were you a college graduate? I had walked through graduation in May. I had to complete my internship to actually fulfill my practicum, but technically, no, I didn't graduate until August. Had you previously been employed by the county? Never. By the court? No. By any county?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Q A. Q A. Q A. Q A. Q A. Q	change in title come about? As I explained, Dave, another probation officer, got called to war, and I fulfilled his obligations during the period of time of August and September, part of October, until another position became available within the Department. Then I was hired full-time at that time. When did your title change next from probation officer 1 to something else? I honestly can't answer that. '97? '6, '7, '8, I'm not sure. What change occurred? What change in title occurred? I had became a senior. And when did you next experience a change in title? I never did again. You are currently a senior probation officer? Correct. Is there such a title as probation officer 2? Yes, there is. You are not a PO-II? Correct. Do you have the same title as Mrs. Varner does, correct?

		Case 1:01-cv-00725-YK Document	Pa	ge Th	Filed 12/29/2003 Page 4 of 11
		Page 9			Page 11
		Juvenile and Adult Departments were one department; is	1	Q	And for Adult?
1		that correct?	2	Ā.	John Roller.
2			3	Q	When did you first meet Mrs. Varner?
	Α.	Correct.	4	À.	As an intern.
		Did you primarily work Juvenile or Adult?	5	0	And how did you meet her?
		I did both.	6	A.	She worked in Children and Youth as a caseworker. I
	-	Where do you work now?	7		don't know that we shared cases, but I met her because
7	A.	Juvenile.	8		of close proximity to our offices.
8	Q	When the split occurred, did you immediately go to	9	O	Did you ever share any cases with her prior to her
9		Juvenile?	10	V	joining the Probation Department?
10	A.	Correct.	11	A.	Y January that we did We
11	Q	And you've been in Juvenile continuously since	12	Α.	may have.
12	A.	Since '96 I believe it was.	13	0	You don't recall having any?
13	Q	When did you first meet Mr. Graham?		Q	Correct.
14	A.	My guess is my mist day as an interior	14	_	Did you ever have any formal business dealings with her?
15		knew Gary before that.	15	Q	Or did you simply know her as a colleague in another
16	Q	Was Mr. Graham influential in any way in your change in	16		department prior to the split? I mean, prior to her
17		title from intern to probation officer?	17		coming on board as a probation officer.
18	A.	He could have been. I don't he certainly could have	18		Knew her as a friend of someone who I was dating at the
19		been. I don't know if he, in fact, was.	19	Α.	time, also a Children and Youth caseworker, and that's
20	Q	Do you know whether he was influential in any way in	20		
21	-	your change in title to probation officer with benefits?	21		primarily how I knew Barb.
22	A.	No. I don't think that that was simply by rule by	22	Q	Did you ever know Mrs. Varner or did you ever see
23		the county as a full-time employee.	23		Ms. Varner in the probation office while she was at CYS?
24	o	Do you know whether he was influential at all in your	24	A.	Oh, yes.
25	`	change in title to senior probation officer?	25	Q	
-		Page 10			Page 12
1	A	He probably was.	1	A	. I would assume professional reasons, sharing cases with
1 2	0	Do you know what that influence was?	2		Juvenile probation officers.
2		I think he was in favor of it.	3	Q	From your observations of her when you saw her as a CYS
3	Α.	And you think that because of what information?	4		worker and a probation officer, can you identify the
4	Ų	. He was my supervisor at the time, and I'm not aware of	5		probation officer she was working with?
5	A	any hardships between Mr. Graham and myself that would	6	A	No.
6		have created a position where I couldn't have been	7	Q	Did you ever see her work with Mr. Graham?
7		accepted for that or denied, that I'm aware of.	8	A	. I really couldn't remember.
8	_	YIN 1'1 Mr. Crohom become Your Supervisor?	9	Q	Do you have any knowledge of whether she or Mr. Graham
9	Q	. I guess when we when the office split, I believe.	10)	shared cases while she was in CYS?
10		the state been any supervisor canacity	11		A. No.
11	Q		12		Did you ever see her and Mr. Graham talk to each other
12	_	over you? In the role of a probation officer 2, I believe. H	e 13	3	or interact with each other in any way
13	A	. In the role of a probation officer 2, 2 source	14	1 A	A. Ves.
14		would be asked to do supervisory duties in the absence of a supervisor, and I know that on many occasions I had	15		2 before she was hired as a probation officer?
15		of a supervisor, and I know that on many occasions I have	16		A. Yes.
16		to go to him as a superior officer.	17	7 (What did you see?
17		It would be your sense that he functioned as a de facto	18	8 8	A. I saw normal conversation. At the time I actually
18		supervisor on a number occasions	19		shared my office, this is as an intern, I shared a
19		A. Absolutely.	20		office with Mr. Osenkarski during that summer. And in
20		2 prior to the split?	2		Gary's capacity as a PO-II and someone who I described
21	F	A. Absolutely.	Į		close with Joe, he was in that office a great deal of
22	. (And who was your formal supervisor prior to the split?	2		time. And I recall Barb being in that particular offic
23		A. For Juvenile or Adult side?	2		on various occasions, having conversations with us.
124		n Invenile.	12		

25

Q Juvenile.

A. Mr. Osenkarski.

Page 15 conversations while together while she was a CYS employce, did you observe any hostility between them? 3 A. No. 4 Q. Any antagonism of any kind? 5 A. Not that I recall. 6 Q Did you ever see Mr. Graham being polite to her? 7 A. I assume. I don't recall anything different. 8 Q From your own personal observation. 9 A. Yes. 10 Q Did you ever see Mr. Graham to raise his voice at her? 11 A. No. 12 A. No. 13 Q Yell at her? 14 A. No. 15 Q Say anything offensive towards her? 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 19 Q Did they seem to have a good working relationship, to you? 20 A. No. 21 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 22 Q Did you see anythesitency or reluctance on the part of Mrs. Varner of work which Mrs. Graham of anything which ever a good working relationship? 23 A. No. 24 Q Did you see anythesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 25 A. No. 26 A. No. 27 Q Did you see any hestiency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 28 A. No. 29 Did you see anythesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 29 A. I don't recall. 20 Did you ever hear Mr. Graham comment about the rabilities while she was a CYS employee? 20 A. No. 30 Q Did you ever hear Mr. Graham recomment about the rabilities while she was a CYS employee? 31 A. I don't recall. 32 A. No. 33 Q Did you ever hear Mr. Graham recomment about the rabilities while she was a CYS employee? 34 A. I don't recall. 35 A. No. 36 Q Did you ever hear Mr. Graham recomment about the rabilities while she was a CYS employee? 36 A. No. 37 Q Did you ever hear Mr. Graham recomment about the rabilities while she was a CYS employee? 38 A. Order the recommendate for a man. I don't recall. 39 A. No. 30 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 30 A. No. 31 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CY			Multi	-Pa	ge	0
2 employee, did you observe any hostility between them? 3 A. No. 4 Q. Any antagonism of any kind? 5 A. Not that I recall. 6 Q. Did you ever see Mr. Graham being polite to her? 7 A. I assume. I don't recall anything different. 8 Q. From your own personal observation. 8 A. Yeah, I don't recall sagain while she was a CYS employee. did you ever observe Mr. Graham to raise his voice at her? 10 Q. Did you ever observe Mr. Graham to raise his voice at her? 11 A. No. 12 A. No. 13 Q. Yell at her? 14 A. No. 15 Q. Say anything offensive towards her? 16 A. No. 17 Q. Treat her with anything other than respect? 18 A. Correct. 19 Q. Did they seem to have a good working relationship, to you? 20 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 21 Q. Did you see anything that would indicate the absence of a good working relationship? 22 A. No. 23 Q. Did you see anything that would indicate the absence of a good working relationship? 24 A. No. 25 A. No. 26 Did you see any besitency or reluctance on the part of while she was in CYS? 26 A. No. 27 Did you ever heave them to have coffee or soda or a snack together in the lunch room or coffee room? 28 A. I don't recall. 29 Did you ever heave them to far hise in the Probation office while she was a CYS employee? 20 A. No. 31 Q. Did you ever heave fir. Graham comment about the Probation office while she was a CYS employee? 20 A. No. to me. I don't know that terramended her or not. I don't recall him making that statement to myself. 20 Did you ever heave fir. Graham commend her for hise in the Probation office while she was a CYS employee? 21 A. I wouldn't know while her was a CYS employee? 22 A. No. to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. 21 C. Do you know that he recommended her or not. I don't recall him making that statement to myself. 22 Did you ever hear Mr. Graham commended her or not. I don't recall him making that statement to myself. 23 Did you ever hear Mr. Graham commended her or not. I don			Page 13			Page 15
3 A. No. 4 Q Any antagonism of any kind? 5 A. Not that I recall. 6 Q Did you ever see Mr. Graham being polite to her? 7 A. I assume. I don't recal anything different. 8 Q From your own personal observation. 9 A. Yes. 10 Q Did you ever observe Mr. Graham to raise his voice at her? 11 her? 12 A. No. 13 Q Yell at her? 14 A. No. 15 Q Sya anything offensive towards her? 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 19 Q Did they seem to have a good working relationship, to you you? 11 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 12 Q Did you seer anything that would indicate the absence of a good working relationship? 14 A. No. 15 Q Did you see anything that would indicate the absence of the Mrs. Varner? 16 A. No. 17 Q Torect. 18 A. No. 19 Did you see anything that would indicate the absence of the world constitute sexual harassment? 19 Q Did you see anything that would indicate the absence of the world conditions to the world constitute sexual harassment? 10 A. No. 11 don't know that I evaluated it in that depth, but I assumed so, yes. 12 A. No. 13 Q Did you see anything that would indicate the absence of the world constitute sexual harassment? 14 A. No. 15 Q Did you see anything into the world in adjust the office? 16 A. No. 17 Q Did you see the world constitute sexual harassment? 18 A. No. 19 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 19 A. No. 20 Did you see anything that would indicate the absence of the world constitute sexual harassment? 21 A. No. 22 Q Did you see the world constitute sexual harassment? 23 Q Did you see anything that would indicate the absence of the world constitute sexual harassment? 24 A. No. 25 Q Did you see anything into the probability of the world constitute sexual harassment? 26 A. No. 27 Q Did you see the world to work with Mr. Graham? 28 A. No. 29 Did you see the world to work when to go on business trips together while she was an CYS 20 Did you seer observe them to have coffee or soda or a snack	1		conversations while together while she was a CYS	1		interaction with Mrs. Varner during that period of time,
4 A. Nort that I recall. 5 A. Nort that I recall. 6 Did you ever see Mr. Graham being polite to her? 7 A. I assume. I don't recall anything different. 8 A. Yes. 9 Did you ever observe Mr. Graham to raise his voice at her? 10 Did you ever observe Mr. Graham to raise his voice at her? 12 A. No. 13 Q Yell at her? 14 A. No. 15 Q Say anything offensive towards her? 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 19 Q Did you see anything that would indicate the absence of a good working relationship, to you? 20 Did you see anything that would indicate the absence of a good working relationship? 21 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 22 Q Did you see anything that would indicate the absence of a good working relationship? 23 Q Did you see anything that would indicate the absence of a good working relationship? 24 A. No. 25 A. No. 26 Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 3 A. No. 4 Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 4 Did you ever heave them to have coffee or sood a or a snack together in the lunch room or coffee room? 5 A. No. 7 Did you ever heaver hem to have coffee or sood a or a snack together in the lunch room or coffee room? 8 A. No. 10 Did you ever heaver hem to favor or construction of the piest? A. No. 10 Did you ever bear Mr. Graham comment about the rebuitties while she was a CYS employee? 2 A. No. 2 Did you ever heave hile she was a CYS employee? 3 A. No. 4 Did you ever heave hile she was a CYS employee? 4 A. No. 5 Did you ever heave hile she was a CYS employee? 5 A. No. 5 Did you ever heave hile she was a CYS employee? 5 A. No. 6 Did you ever heave hile she was a CYS employee? 6 A. No. 9 Did you ever heave hile she was a CYS employee? 10 Did you ever heave hile she was a CYS employee? 11 A. I don't recall using it even myself, but as I said, I recall hile with the feath it was? 12 Did you	2		employee, did you observe any hostility between them?	2		would that be true for Mr. Osenkarski with respect to
5 A. Not that I recall. 6 Q Did you ever seem fr. Graham being polite to her? A. I assume. I don't recall anything different. 7 Q Did you own personal observation. 9 A. Yes. 10 Q Did you ever observe Mr. Graham to raise his voice at her? 11 her? 12 A. No. 13 Q Yell at her? 14 A. No. 15 Q Say anything offensive towards her? 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 19 Q Did when the few as a cyse mployee, and harassment? 19 Q Did when the few as a cyse of the word could constitute sexual harassment? 10 A. No. 11 Q Did you seem to have a good working relationship, to you? 11 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 12 Q Did you see anything that would indicate the absence of the assumed so, yes. 13 Q Did you seen while she was a cyse mployee, any conduct within the office? 14 A. No. 15 Q Did you seen while she was a cyse mployee, any conduct within the office? 15 A. No. 16 Q Did you seen while she was a cyse mployee, any conduct within the office? 17 Q Did you seen while she was a cyse mployee, any conduct by Mr. Graham that in the broadest sense of the word could constitute sexual harassment? 18 A. No. 19 Q Did you ever base to have a good working relationship, to you? 20 A. No. 21 Q Did you seen to have a good working relationship, to you? 22 A. No. 23 Q Did you seen while she was a cyse mployee? 24 A. No. 25 Q Did you seen while she was a cyse mployee? 26 A. No. 27 Q Did you seen when to go on business trips together while she was in Cys? 28 A. No. 29 Did you ver bear Mr. Graham comment about he realilities while she was a Cyse employee? 29 A. No. 20 Did you ver hear Mr. Graham comment about he realilities while she was a Cyse employee? 20 A. No. 21 Q Did you wer hear Mr. Graham comment about he realilities while she was a Cyse employee? 21 A. I don't recall him making that statement on myself. 22 A. No. 23 Q Did you wer hear Mr. Graham comment about he realilities while she was a cyse employee? 24 A. No to to me. I don't recall him making that s	3	A.	No.	3		——————————————————————————————————————
which is again while she was a CYS employce, did you ever observe Mr. Graham being polite to her? A. Ves. Did you ever observe Mr. Graham to raise his voice at her? 2 A. No. 10 Q Did you ever observe Mr. Graham to raise his voice at her? 11 A. No. 12 again, this is during the time when she was a CYS employce, did you seen observe Mr. Graham to raise his voice at her? 12 A. No. 13 Q Yell at her? 14 A. No. 15 Q Say anything offensive towards her? 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 19 Q Did they seem to have a good working relationship, to you? 20 Q Did they seem to have a good working relationship, to a good working relationship? A. No. Page 14 Q Did you see anything that would indicate the absence of a good working relationship? A. No. Page 14 Q Did you see anything that would indicate the absence of a good working relationship? A. No. Page 14 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Page 14 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Page 14 Q Did you ever know them to go on business trips together while she was in CYS? A. No. Page 15 A. No. Page 16 Was the content of the jest? A. No. O Do you know that he recommended her for hire in the her brobation office while she was a CYS employee? 15 A. Not to me. I don't know the recommended her to anyone che for hire within the Probation office while she was a CYS employee. 15 A. No wood was the recommended her to anyone che for hire in the within the Probation office while she was a CYS employee. 15 A. No wood was the recommended her to anyone che for hire within the Probation office. 16 A. No wood the recomme	4	Q	Any antagonism of any kind?	4	A.	Yeah, I don't recall any.
A I assume. I don't recall anything different. Q From your own personal observation. A Yes. 10 Q Did you ever observe Mr. Graham to raise his voice at her? 11 her? A No. 12 Q Yell at her? 13 Q Yell at her? 14 A No. Q Say anything offensive towards her? 16 A. No. Q Say anything offensive towards her? 16 A. No. Q Did they seem to have a good working relationship, to you you? A I don't know that I evaluated it in that depth, but I assumed so, yes. Q Did you see anything that would indicate the absence of a good working relationship? A No. Page 14 Q Did you see anything that would indicate the absence of a good working relationship? A No. Page 14 Q Did you see anything that would indicate the absence of a good working relationship? A No. Page 14 Q Did you see anything that would indicate the absence of a good working relationship? A No. Page 14 Q Did you see anything that would indicate the absence of a good working relationship? A No. Page 14 Q Did you see anythesinency or reluctance on the part of write while she was in CYS? A No. Page 14 Q Did you see any hesitency or reluctance on the part of while she was in CYS? A No. Q Did you veer know them to go on business trips together while she was in CYS? A No. Q Did you veer hear Mr. Graham comment about her rebilities while she was a CYS employee? A No. Q Did you veer hear Mr. Graham recommend ber for hire in the Probation office while she was a CYS employee? A No. Q Did you veer hear Mr. Graham recommend ber for hire in the Probation office while she was a CYS employee? A No. Q Did you veer hear Mr. Graham recommend ber or not. I don't recall him making that statement to myself. A No. You never inquired yourself as to what the pioke was with required to the use of that phraseology? A No. You over hear Mr. Graham to not the probation office? A No. You over hear Mr. Graham to not the probation office? A No. You over hear Mr. Graham to not the probation office? A No. You over hear Mr. Graham to not the probation offi	5	A.	Not that I recall.	5	Q	To be more specific, during that same period of time,
sense of the word constitute sexual harassment towards her? A. No. Yes. A. No. Your Treat her with anything offensive towards her? A. No. Your Treat her with anything other than respect? A. No. Your Treat her with anything other than respect? A. No. Your Treat her with anything other than respect? A. No. Your Treat her with anything other than respect? A. No. Your Treat her with anything other than respect? A. No. Your Treat her with anything other than respect? A. No. Your Treat her with anything other than respect? A. No. Your Treat her with anything other than respect? A. No. Your Treat her with anything other than respect? A. No. Your What was your understanding of that phraseology? A. No. Page 14 Year 14 A. No. Page 14 Year 15 A. No. Page 14 Year 16 Was the content of the jest? A. No. Year 19 Year	6	•		6		which is again while she was a CYS employee, did you
9 A. Yes. 9 Mrs. Varner? 10 Q Did you ever observe Mr. Graham to raise his voice at 1 her? 12 A. No. 12 again, this is during the time when she was a CYS employee? 13 A. No. 15 Q Say anything offensive towards her? 15 A. No. 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 18 A. Correct. 19 Q Did when the I evaluated it in that depth, but I assumed so, yes. 19 Q Did you see anything that would indicate the absence of a good working relationship? 19 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 19 Q Did you see anything that would indicate the absence of a good working relationship? 24 A. No. 25 Q Mrs. Varner to work with Mr. Graham? 25 A. No. 26 Did you ever hear with Mr. Graham? 26 A. No. 27 Q Did you ever hear mr. Graham recommend the for hire in the Probation office while she was a CYS employee? 18 A. No. 18 A. No. 19 A. No.	7	A.	I assume. I don't recall anything different.	7		ever observe Mr. Graham do anything that would in any
10 Q Did you ever observe Mr. Graham to raise his voice at her? 11 2 A. No. 12 2 A. No. 13 Q Yell at her? 14 A. No. 14 A. No. 15 Q Say anything offensive towards her? 15 A. No. 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 19 Q Did they seem to have a good working relationship, to you? 2 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 20 Q What was your understanding of that phraseology? A. I don't know that I evaluated it in that depth, but I assumed so, yes. 20 Q What was your understanding of that phraseology? A. I don't know that I evaluated it in that depth, but I assumed so, yes. 20 Q What was your understanding of that phraseology? A. I don't know that I evaluated it in that depth, but I assumed so, yes. 20 Q What was your understanding of that phraseology? A. I don't know that I evaluated it in that depth, but I assumed so, yes. 20 Q What was your understanding of that phraseology? A. I don't know that I evaluated it in that depth, but I assumed so, yes. 20 Q What was your understanding of that phraseology? A. I don't know that I evaluated it in that depth, but I assumed so, yes. 20 Q What was your understanding of that phraseology? A. I don't recall. 20 Q What was your understanding of that phraseology? A. I don't recall that phraseology? A. I don't recall. Page 14 Was the content of the jest? A. I don't recall. Page 16 Was the content of the jest? A. I don't recall. Page 16 Was the content of the jest? A. I don't recall was in jest, what was the jest? What was you were hear Mr. Graham comment about her abilities while she was a CYS employee? 14 A. No. 16 Mor't recall immaking that statement to myself. Q Did you ever hear Mr. Graham comment about her abilities while she was a CYS employee? 16 A. No. Q Did you ever hear Mr. Graham recommend her for hire in the Probation office? A. No. Q Did you ever hear Mr.	8	Q	From your own personal observation.	8		
her? 12 A. No. 3 Q Yell at her? 4 A. No. 4 A. No. 5 Q Say anything offensive towards her? 6 A. No. 7 Q Treat her with anything other than respect? 8 A. Correct. 9 Did they seem to have a good working relationship, to you? 11 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 20 Did you see anything that would indicate the absence of a good working relationship? 21 A. No. Page 14 1 Q Did you see anything that would indicate the absence of a good working relationship? 23 A. No. Page 14 1 Q Did you see anything that would indicate the absence of a good working relationship? 24 A. No. Page 14 1 Q Did you see anythesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. 9 Q Did you see hear the phrase Barb 1 and Barb 2 used within the office, yes. Who was Barb Varner? A. I don't recall. Who was Barb Varner? A. I don't recall whith the fire in the lunch room or coffee room? A. No. 9 Q Did you see any hesitency or relevance on the part of Mrs. Varner to work with Mr. Graham? 10 Q Did you see hear the phrase Barb 1 and Barb 2 used within the office? A. No. 10 Q Did you see any hesitency or relevance on the part of Wrs. Varner. 10 Q Did you see any hesitency	9	A.	Yes.	9		
12 A. No. 13 Q Yell at her? 14 A. No. 15 Q Say anything offensive towards her? 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 19 Q Did they seem to have a good working relationship, to you? 20 you? 21 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 22 Q Did you see anything that would indicate the absence of a good working relationship? 24 A. No. 25 A. No. 26 Did you see anything that would indicate the absence of a good working relationship? 27 A. No. 28 Page 14 29 Did you see anything that would indicate the absence of a good working relationship? 29 A. No. 29 Did you see any hesitency or reluctance on the part of white she was in CYS? 20 A. No. 21 Q Did you see any hesitency or reluctance on the part of white she was in CYS? 21 A. I don't recall thin making that would indicate the absence of a snack together in the lunch room or coffee room? 29 A. I don't recall. 20 Did you ever baserve them to have coffee or soda or a snack together in the lunch room or coffee room? 29 A. I don't recall. 20 Did you ever baserve them to have coffee or soda or a snack together in the lunch room or coffee room? 29 A. I don't recall him making that statement to myself. 21 A. No. 22 Did you ever baserve from the frof hire in the Probation office while she was a CYS employee? 21 A. I don't recall him making that statement to myself. 22 A. No. 23 Q Did you ever hear Mr. Graham commend about her abilities while she was a CYS employee? 24 A. No to me. I don't know the recommended her or nut. 25 A. No to me. I don't know the recommended her or nut. 26 A. I don't recall him making that statement to myself. 27 Do you know that he recommended her to myself. 28 Q Did you ever hear Mr. Graham use that terminology, Barb 1 and Barb 2? 29 A. No. 29 Did you ever hear Mr. Graham use that terminology, Barb 1 and Barb 2? 29 A. No. 29 Q When the was defended the to anyone cisc for hire within the Probation office? 20 A. No make the recommended her to myself. 21 Q Who they sue the statement to m	10	Q	Did you ever observe Mr. Graham to raise his voice at	10	A.	Not in my presence.
modest sense of the word could constitute sexual harassment? A. No. Teat her with anything other than respect? A. No. Torrect. Did they seem to have a good working relationship, to you? A. I don't know that I evaluated it in that depth, but I assumed so, yes. Did you see anything that would indicate the absence of a good working relationship? A. No. Did you see anything that would indicate the absence of a good working relationship? A. No. Did you see anythesinency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A. No. Did you ever know them to go on business trips together while she was in CYS? A. No. Did you ever show them to bave coffee or soda or a snack together in the hunch room or coffee room? A. I don't recall. Did you ever observe them to have coffee or soda or a snack together in the hunch room or coffee room? A. I don't recall. Did you ever observe them to have coffee or soda or a snack together in the hunch room or coffee room? A. I don't recall. Did you ever observe them to have coffee or soda or a snack together in the hunch room or coffee room? A. I don't recall. Did you ever observe them to have coffee or soda or a snack together in the hunch room or coffee room? A. I don't recall. Did you ever observe them to have coffee or soda or a snack together in the hunch room or coffee room? A. I don't recall. Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? A. No. Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? A. No to m. I don't how if her ecommended her or not. Did you ever hear Mr. Graham recommend her for hire in the Probation office? A. No to m. I don't how if her commended her or not. Did you ever hear Mr. Graham recommend her for hire in the Probation office? A. No to m. I don't how if her commended her or not. Did you ever hear Mr. Graham use that terminology, Barb 1	11		her?	11	Q	-
14 A. No. 15 Q Say anything offensive towards her? 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 19 Q Did they seem to have a good working relationship, to you? 21 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 22 Q Did you see anything that would indicate the absence of a good working relationship? 23 Q Did you see anything that would indicate the absence of a good working relationship? 24 A No. 25 Q What was your understanding of that phraseology? 26 A. No. 27 Q Did you see any hesitency or reluctance on the part of while she was in CYS? 28 A. No. 29 Did you ever know them to go on business trips together while she was in CYS? 40 A. No. 41 Q Did you ever know them to go on business trips together while she was in CYS? 42 A. No. 43 Q Did you ever know them to go on business trips together while she was in CYS? 44 A. No. 45 Did you ever baserve or hear Mr. Graham comment about the rebilities while she was a CYS employee? 46 A. No. 47 Q Did you ever baserve or hear Mr. Graham comment about the her Probation office while she was a CYS employee? 48 A. No. 49 Did you ever baserve or hear Mr. Graham comment about the her Probation office? 50 A. No to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself. I don't recall him making that statement to myself.	12	A.	No.	12		-
Say anything offensive towards her? 15	13	Q	Yell at her?	13		
A. No. 16 A. No. 17 Q Treat her with anything other than respect? 18 A. Correct. 20 Q Did they seem to have a good working relationship, to you? 21 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 22 Q Did you see anything that would indicate the absence of a good working relationship? 23 A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 3 A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of While she was in CYS? 6 A. No. Page 14 1 Q Did you ever know them to go on business trips together while she was in CYS? 6 A. No. Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? 9 A. I don't recall. Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 12 A. No. 13 Q Did you ever observe or hear Mr. Graham commend ber to her abilities while she was a CYS employee? 14 A. No. 15 A. Not to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. 16 A. I don't believe so. 18 within the office? What was your understanding of that phraseology? A. I wouldn't know which was which. 24 A. No. Page 14 Was the content of the jest? A. I don't recall using it even myself, but as I said, I recall hearing it. And I could very well be confusing what's taken place in the last seven years compared to prior to that, so I — to think specifically what was the joke, I don't recall with phrase, do you recall? A. No. 10 Q Did you ever hear Mr. Graham commend about her brobation office while she was a CYS employee? 12 A. No. 13 Q Did you know that he recommended her for hire in the Probation office? 24 A. No. 15 A. No. 16 A. No. 17 Q Did you ever hear Mr. Graham commend about her abilities while she was a CYS employee? 18 A. No. 19 A. No. 10 Q Did you ever hear Mr. Graham to ayone cise for hire within the Probation office? 29 A. No. 10 Q Was the content of the je	14	A.	No.	14		
Treat her with anything other than respect? 18 A. Correct. 19 Q Did they seem to have a good working relationship, to you? 21 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 22 Q Did you see anything that would indicate the absence of a good working relationship? 23 Q Did you see anything that would indicate the absence of a good working relationship? 24 A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 25 A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of while she was in CYS? 3 A. No. Page 14 1 Q Did you ever know them to go on business trips together while she was in CYS? 3 A. No. 4 Q Did you ever know them to go on business trips together while she was in CYS? 5 A. No. 7 Q Did you ever hoserve them to have coffee or soda or a snack together in the lunch room or coffee room? A. I don't recall. 10 Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 11 A. No. 12 Q Did you ever hoserve or hear Mr. Graham comment about her abilities while she was a CYS employee? 12 A. No. 13 Q Did you ever hoserve or hear Mr. Graham recommended her or not. I don't recall him making that statement to myself. 14 the Probation office while she was a CYS employee? 15 A. Not one. I don't know if he recommended her or not. I don't recall him making that statement to myself. 16 A. No to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. 17 Q Do you know that he recommended her to mot. I don't recall him making that statement to myself. 18 Within the office, yes. Within the office, yes. Within the office, yes. Within the office, yes. Withat has something in jest, designating Mr. Graham's wife and Mrs. Varner. A I wouldn't know which was the jest? A. I don't recall using it even myself, but as I said, I recall using it even myself, but as I said, I was the joke, I don't recall. Was the content of the	15	Q	Say anything offensive towards her?	15		
18 A. Correct. 19 Q Did they seem to have a good working relationship, to you? 20 What was your understanding of that phraseology? 21 A. I don't know that I evaluated it in that depth, but I 22 assumed so, yes. 23 Q Did you see anything that would indicate the absence of 24 a good working relationship? 25 A. No. 25 Q What was your understanding of that phraseology? 24 A. No. 25 Q What was word varner? 26 A. No. 27 Q Did you see any hesitency or reluctance on the part of Q Did you see any hesitency or reluctance on the part of Q Did you see any hesitency or reluctance on the part of Q Did you ever know them to go on business trips together S while she was in CYS? A. No. A. No. A. I don't recall. A. No. A. I don't recall. A. No. A. I don't recall. A. No.	16	A.		ŀ		
19 Q Did they seem to have a good working relationship, to you? 21 A. I don't know that I evaluated it in that depth, but I 2 assumed so, yes. 22 Q Did you see anything that would indicate the absence of a good working relationship? 23 A. No. 25 A. No. 26 Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 28 A. No. 29 Did you see any hesitency or reluctance on the part of while she was in CYS? 29 A. No. 20 Did you ever know them to go on business trips together while she was in CYS? 20 A. No. 21 Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? 29 A. I don't recall. 20 Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 21 A. No. 22 Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 21 A. No to me I don't know if he recommended her or not. I don't recall him making that statement to myself. 21 Q Dy ow know that he recommended her to anyone clse for hire within the Probation office? 22 When she was hired, was there any discussion within the office? 23 A. No to my recollection. 24 Q Did you understanding of that phraseology? 25 A. Wat was sour understanding of that phraseology? 26 A. I wouldn't know which. 27 Q Who was Barb Varner? 28 A. I wouldn't know which was which. 29 What was your understanding of that phraseology? 20 A. I wouldn't know which was which. 21 A. No. 22 Page 14 23 A. No. 24 A. No. 25 Q When sub as Davines trips together wise in the passence or the part of the pass of the content of the jest? 26 A. No. 27 Q Did you ever har Mr. Graham comment about her abilities while she was a CYS employee? 28 A. No. 29 Did you ever hear Mr. Graham comment about her abilities while she was a CYS employee? 20 A. No. 21 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 21 A. No to my recollection. 22 Did you ever hear Mr. Graham use that terminology, B	17	Q	Treat her with anything other than respect?		Q	
20 you? 21 A. I don't know that I evaluated it in that depth, but I assumed so, yes. 22 Q Did you see anything that would indicate the absence of a good working relationship? 23 Q Did you see anything that would indicate the absence of a good working relationship? 24 A No. Page 14 1 Q Did you see any hesitency or reluctance on the part of 2 Mrs. Varner to work with Mr. Graham? 3 A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of 2 Mrs. Varner to work with Mr. Graham? 3 A. No. Page 14 1 Q Did you ever know them to go on business trips together while she was in CYS? 6 A. No. 4 Q Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? 9 A. I don't recall. 10 Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 11 A. No. 12 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 13 A. Not one. I don't know if he recommended her to anyone else for hire within the Probation office? 14 A. I wouldn't be privy to that information. I don't know, really. 15 Q When she was hired, was there any discussion within the office? 16 A. I wouldn't be privy to that information. I don't know, office that you participated in as to who had sponsored her or urged her hiring within the office? 24 A. Not om y recollection. 25 Q By the way, all the questions I've asked about Graham's 25 A. Are we talking about a time period that's still while	18	A.	Correct.	18		
A. I don't know that I evaluated it in that depth, but I assumed so, yes. 2	19	Q	Did they seem to have a good working relationship, to	19		· ·
assumed so, yes. Q Did you see anything that would indicate the absence of a good working relationship? A No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A No. Q Did you ever know them to go on business trips together while she was in CYS? A No. O Did you ever know them to go on business trips together while she was in CYS? A I don't recall hearing it. And I could very well be confusing what's taken place in the last seven years compared to prior to that, so I - to think specifically what was the joke, I don't recall. Who did you hear using that phrase, do you recall? Is it something that you heard frequently? A. No. No. O Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? A No. I don't recall him making that statement to myself. A Not to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. A No to we will she privy to that information. I don't know, really. O Poyou know that he recommended her to anyone else for hire within the Probation office? A I wouldn't be privy to that information. I don't know, office that you participated in as to who had sponsored her or urged her hiring within the office? A Not to my recollection. O When sha Barb Varner. Who don't recall sing it even myself, but as I said, I recall hearing it. And I could very well be confusing what's taken place in the last seven years compared to prior to that, so I - to think specifically what was the joke, I don't recall. Who did you hear using that phrase, do you recall? Is it something that you heard frequently? A. No. 10 Q More than 10 times? A. Probably. 11 A. Probably. 12 Q Do you know that he recommended her or not. I don't know, regard to the use of that phraseology? A. No. 13 Q Did you ever hear Mr. Graham comment about her commended her or not. I	20		you?	20	-	
Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? A No. Page 14 Q Did you ever know them to go on business trips together while she was in CYS? A No. Q Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee froom? A I don't recall. Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? A No. A No. Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? A No to me. I don't know if he recommended her or not. I don't know if he recommended her or not. I don't recall him making that statement to myself. A No to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. A No to me. I don't know if he recommended her to anyone else for hire within the Probation office? A I wouldn't know which was which. Page 14 A Vas the content of the jest? A I don't recall using it even myself, but as I said, I recall hearing it. And I could very well be confusing what's taken place in the last seven years compared to prior to that, so I — to think specifically what was the joke, I don't recall. Q Who did you hear using that phrase, do you recall? Is it something that you heard frequently? A No. Probably. Did you ever hear Mr. Graham use that terminology. Barb 1 or Barb 2? A No. Did J understand what it was? A No, but I certainly understood its meaning. A And other than the fact it was the two Barbs, did you understand anything else about its meaning? A Are we talking about a time period that's still while	21	A.	I don't know that I evaluated it in that depth, but I		A.	
24 A. No. Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 3 A. No. Page 14 1 Q Did you ever know them to go on business trips together while she was in CYS? 6 A. No. 7 Q Did you ever know them to have coffee or soda or a snack together in the lunch room or coffee room? 9 A. I don't recall. 10 Q Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? 11 A. No. 12 Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 12 A. No. 13 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 14 A. No to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. 16 A. I wouldn't know which was which. 25 Q When you say it was in jest, what was the jest? What Page 16 Was the content of the jest? A I don't recall using it even myself, but as I said, I recall hearing it. And I could very well be confusing what's taken place in the last seven years compared to prior to that, so I — to think specifically what was the joke nature of the joke, I don't recall. 9 A. No. 10 Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 11 A. No. 12 Q Did you ever hear Mr. Graham recommended her or not. I don't recall him making that statement to myself. 13 A. No. 14 A. No. 15 Q Do you know that he recommended her or not. I don't know if he recommended her or not. I don't recall him making that statement to myself. 16 A. No to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. 17 Q Do you know that he recommended her to anyone else for hire within the Probation office? 18 A. I wouldn't be not year least was in jest, what was the jest? 19 A. No. 10 Q Did you ever hear Mr. Graham recommended her or not. I don't know, recall him making that statement to myself. 19 A. No to me. I don't	22		· ·	22		
Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 3 A. No. 4 Q Did you ever know them to go on business trips together while she was in CYS? 5 A. No. 7 Q Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? 8 A. I don't recall. 9 A. I don't recall. 10 Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 11 A. No. 12 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 15 A. No to me. I don't know if he recommended her or not. 16 I don't recall him making that statement to myself. 17 Q Do you know that he recommended her to anyone else for hire within the Probation office? 18 A. I wouldn't be privy to that information. I don't know, really. 20 When she was hired, was there any discussion within the office? 21 A. Not to my recollection. 22 Q By the way, all the questions I've asked about Graham's 25 A. Are we talking about a time period that's still while	23	Q		23	~	
Page 14 1 Q Did you see any hesitency or reluctance on the part of Mrs. Varner to work with Mr. Graham? 3 A. No. 4 Q Did you ever know them to go on business trips together while she was in CYS? 6 A. No. 7 Q Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? 9 A. I don't recall. 10 Q Did you ever observe or hear Mr. Graham comment about 11 her abilities while she was a CYS employee? 12 A. No. 13 Q Did you ever hear Mr. Graham recommend her for hire in 14 the Probation office while she was a CYS employee? 15 A. Not to me. I don't know if he recommended her to anyone else for 16 hire within the Probation office? 17 A. I wouldn't be privy to that information. I don't know, 18 really. 20 When she was hired, was there any discussion within the 21 office that you participated in as to who had sponsored her or urged her hiring within the office? 24 A. Not to me y recollection. 25 Q By the way, all the questions I've asked about Graham's 26 A. Roe 27 Certainly. 28 Was the content of the jest? 28 A. I don't recall using it even myself, but as I said, I 29 A. I don't recall using it even myself, but as I said, I 20 A. A not I don't recall using it even myself, but as I said, I 21 crecal hearing it. And I could very well be confusing what's taken place in the last seven years compared to prior to that, so I — to think specifically what was the joke, I don't recall. 9 A. No. 10 Q More than 10 times? 11 A. Probably. 12 Q Did you ever hear Mr. Graham use that terminology, Barb 1 or Barb 2? 4 A. No. 15 Q You never inquired yourself as to what the joke was with regard to the use of that phraseology? 16 A. Did I understand what it was? 17 A. Did I understand what it was? 28 Q Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? 29 A. No, Did I understand what it was the two Barbs, did you understand anything else about its meaning? 19 A. Not to my recollection. 20 Q By the way, all the questions I've asked about Graham's 21 A. Probably. 22 A.	24		a good working relationship?	24		
Mrs. Varner to work with Mr. Graham? A. No. Q Did you ever know them to go on business trips together while she was in CYS? A. No. Q Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? A. I don't recall. Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? A. No. Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? A. Not to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. Q Do you know that he recommended her to anyone else for hire within the Probation office? A. I don't recall using it even myself, but as I said, I recall hearing it. And I could very well be confusing what's taken place in the last seven years compared to prior to that, so I — to think specifically what was the hejoke, I don't recall. Q Who did you hear using that phrase, do you recall? Is it something that you heard frequently? A. No. Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? A. No to me. I don't know if he recommended her or not. I don't know if he recommended her or not. I don't recall him making that statement to myself. Q Do you know that he recommended her to anyone else for hire within the Probation office? A. I don't recall using it even myself, and I could very well be confusing what's taken place in the last seven years compared to prior to that, so I — to think specifically what was the prior to that, so I — to think specifically what was the prior to that, so I — to think specifically what was the prior to that, so I — to think specifically what was the prior to that, so I — to think specifically what was the prior to that, so I — to think specifically what was the prior to that, so I — to think specifically what was the prior to that, so I — to think specifically what was the prior to that, so I — to think specifically what was the prior to that, so	25	A.	No.	25	Q	When you say it was in jest, what was the jest? What
Mrs. Varner to work with Mr. Graham? A. No. Did you ever know them to go on business trips together while she was in CYS? A. No. Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? A. I don't recall. Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? A. I don't recall. Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? A. No. Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? A. Not to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. Do you know that he recommended her to anyone else for hire within the Probation office? A. I wouldn't be privy to that information. I don't know, really. When she was hired, was there any discussion within the office? A. Not to my recollection. Did you ever hear Mr. Graham recommended her office? A. No, to to my recollection. A. No to my recollection. A. No to my recollection. Did you ever hear Mr. Graham use that terminology, bar to the use of that phraseology? A. No, to to my recollection. A. No, to to my recollection. Did you ever hear Mr. Graham use that terminology, bar 1 or Barb 2? A. No. Did you ever hear Mr. Graham use that terminology, bar 1 or Barb 2? A. No. Did you ever inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, to to my recollection. A. No, to to my recollection. By the way, all the questions I've asked about Graham's A. Are we talking about a time period that's still while			Page 14			_
3 A. No. 4 Q Did you ever know them to go on business trips together while she was in CYS? 5 A. No. 7 Q Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? 9 A. I don't recall. 10 Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 11 A. No. 12 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 13 A. Not to me. I don't know if he recommended her or not. 14 I don't recall him making that statement to myself. 15 Q D you know that he recommended her to anyone else for hire within the Probation office? 16 A. I wouldn't be privy to that information. I don't know, really. 17 Q When she was hired, was there any discussion within the office? 18 A. Not to my recollection. 19 Q By the way, all the questions I've asked about Graham's 25 10 Q By the way, all the questions I've asked about Graham's 25 11 A. No. 12 Q Did you ever hear Mr. Graham recommended her or not. 13 A. No. 14 Q Did you ever hear Mr. Graham use that terminology, and office that you participated in as to who had sponsored her or urged her hiring within the office? 12 A. No. but I certainly understood its meaning? 13 A. No. 14 Q Did you ever hear Mr. Graham use that terminology, and other than the fact it was the point what was the joke was with regard to the use of that phraseology? 11 A. No. 12 Q Did you ever inquired yourself as to what the joke was with regard to the use of that phraseology? 12 A. No. 13 Q Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? 24 A. No, but I certainly understood its meaning? 25 A. No to my recollection. 26 What else did you understand? 27 A. Are we talking about a time period that's still while	1	Q	Did you see any hesitency or reluctance on the part of	1		
what's taken place in the last seven years compared to prior to that, so I — to think specifically what was the joke, I don't recall. No. Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? A. I don't recall. Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? A. No. Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? A. Not to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. Do you know that he recommended her to anyone else for hire within the Probation office? A. I wouldn't be privy to that information. I don't know, really. When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? A. Not to my recollection. By the way, all the questions I've asked about Graham's what's taken place in the last seven years compared to prior to that, so I — to think specifically what was the joke, I don't recall. Who did you hear using that phrase, do you recall? Is it something that you heard frequently? A. No. More than 10 times? A. No. Did you ever hear Mr. Graham use that terminology, Barb 1 or Barb 2? A. No. You never inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. A. Certainly. What else did you understand? A. Are we talking about a time period that's still while	2		Mrs. Varner to work with Mr. Graham?	2	A.	I don't recall using it even myself, but as I said, I
while she was in CYS? A. No. Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? A. I don't recall. Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? A. No. Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? A. Not to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. Do you know that he recommended her to anyone else for hire within the Probation office? A. I wouldn't be privy to that information. I don't know, really. Who did you hear using that phrase, do you recall? Is it something that you heard frequently? A. No. Probably. Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? A. No. You never inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. A. No, but I certainly understood its meaning? A. Certainly. What else did you understand? A. Are we talking about a time period that's still while	3	A.	No.	3		-
6 A. No. 7 Q Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? 9 A. I don't recall. 10 Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 11 A. No. 12 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 13 A. Not to me. I don't know if he recommended her or not. 14 I don't recall him making that statement to myself. 15 Q Do you know that he recommended her to anyone else for hire within the Probation office? 16 A. I wouldn't be privy to that information. I don't know, really. 17 Probably. 18 Probably. 19 A. No. 19 Q Did you ever hear Mr. Graham use that terminology, Barb 1 or Barb 2? 19 A. I wouldn't be privy to that information. I don't know, really. 20 Po you know that he recommended her to anyone else for hire within the Probation office? 21 Q Did you ever inquired yourself as to what the joke was with regard to the use of that phraseology? 22 A. No, but I certainly understood its meaning. 23 A. No, but I certainly understood its meaning? 24 A. Not to my recollection. 25 Q By the way, all the questions I've asked about Graham's 25 A. Are we talking about a time period that's still while	4	Q	Did you ever know them to go on business trips together	4		what's taken place in the last seven years compared to
7 Q Did you ever observe them to have coffee or soda or a snack together in the lunch room or coffee room? 9 A. I don't recall. 10 Q Did you ever observe or hear Mr. Graham comment about her a bilities while she was a CYS employee? 11 A. No. 12 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 13 A. Not to me. I don't know if he recommended her or not. 14 I don't recall him making that statement to myself. 15 A. Not to me. I don't know if he recommended her to anyone else for hire within the Probation office? 16 A. I wouldn't be privy to that information. I don't know, really. 17 Q When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? 14 A. Not to my recollection. 15 Q What else did you understand? 16 A. Toward office within the questions I've asked about Graham's by the way, all the questions I've asked about Graham's by the wind within the proof of that praced by the wind within the proof of that praced by the wind within the proof of	5		while she was in CYS?	5		-
snack together in the lunch room or coffee room? A. I don't recall. Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? A. No. Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? A. Not to me. I don't know if he recommended her or not. I don't recall him making that statement to myself. Do you know that he recommended her to anyone else for hire within the Probation office? A. I wouldn't be privy to that information. I don't know, really. When she was hired, was there any discussion within the office? A. Not to my recollection. By the way, all the questions I've asked about Graham's 25 A. I don't recall. By the way all the questions I've asked about Graham's 25 It something that you heard frequently? A. No. C More than 10 times? A. Probably. D Whore than 10 times? A. Probably. A. Probably. D Wou ever hear Mr. Graham use that terminology, Barb 1 or Barb 2? A. No. You never inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? Did you ever inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? Did you ever inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? Did you ever inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? A. No, but I certainly understood its meaning. A. No, but I certainly understood its meaning? A. Certainly. A. Certainly. A. Are we talking about a time period that's still while	6	A.	No.	6		•
9 A. I don't recall. 10 Q Did you ever observe or hear Mr. Graham comment about 11 her abilities while she was a CYS employee? 12 A. No. 13 Q Did you ever hear Mr. Graham recommend her for hire in 14 the Probation office while she was a CYS employee? 15 A. Not to me. I don't know if he recommended her or not. 16 I don't recall him making that statement to myself. 17 Q Do you know that he recommended her to anyone else for 18 hire within the Probation office? 19 A. I wouldn't be privy to that information. I don't know, 20 really. 21 Q When she was hired, was there any discussion within the 22 office that you participated in as to who had sponsored 23 her or urged her hiring within the office? 24 A. Not to my recollection. 25 Q By the way, all the questions I've asked about Graham's 26 A. No. 27 Did you ever hear Mr. Graham use that terminology, 28 Barb 1 or Barb 2? 4 A. No. 4 Probably. 4 A. Probably. 4 A. Probably. 5 Q Did you ever hear Mr. Graham use that terminology, 5 Barb 1 or Barb 2? 5 Q Did you ever inquired yourself as to what the joke was with 6 regard to the use of that phraseology? 6 A. Did I understand what it was? 6 Did you ever inquire of anybody else as to why are they 6 saying Barb 1 and Barb 2? 7 A. No, but I certainly understood its meaning. 7 A. No, but I certainly understood its meaning. 8 A. Certainly. 9 A. Not to my recollection. 9 A. Not to my recollection. 9 A. Not to my recollection. 9 A. No. 9 Vou never inquired yourself as to what the joke was with 9 To Barb 2? 9 A. No. 9 You never inquired yourself as to what the joke was with 9 A. No. 9 You never inquired yourself as to what the joke was with 9 A. No. 9 You never inquired yourself as to what the joke was with 9 A. No. 9 You never inquired yourself as to what the joke was with 9 A. No. 9 You never inquired yourself as to what the joke was with 9 A. No. 9 You never inquired yourself as to what the joke was with 9 A. No. 9 You never inquired yourself as to what the joke was with 9 A. No. 9 You never inquired yourself as to what the joke	7	Q	Did you ever observe them to have coffee or soda or a	7	Q	•
10 Q Did you ever observe or hear Mr. Graham comment about her abilities while she was a CYS employee? 11 A. No. 12 Q Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 13 A. Not to me. I don't know if he recommended her or not. 14 I don't recall him making that statement to myself. 15 A. Not to me. I don't know if he recommended her to anyone else for hire within the Probation office? 16 A. I wouldn't be privy to that information. I don't know, really. 17 Q When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? 18 A. No. 19 Did you ever hear Mr. Graham use that terminology, Barb 1 or Barb 2? 10 A. No. 11 A. No. 12 Q You never inquired yourself as to what the joke was with regard to the use of that phraseology? 13 A. Did I understand what it was? 14 A. Did I understand what it was? 15 Q Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? 16 A. No, but I certainly understood its meaning. 17 Q And other than the fact it was the two Barbs, did you understand anything else about its meaning? 18 A. No. 19 A. Did I understand what it was? 20 And other than the fact it was the two Barbs, did you understand anything else about its meaning? 21 Q What else did you understand? 22 A. Not to my recollection. 23 A. Certainly. 24 A. No. 25 A. Are we talking about a time period that's still while	8		snack together in the lunch room or coffee room?	8		- -
her abilities while she was a CYS employee? 1 A. No. 1 Did you ever hear Mr. Graham recommend her for hire in the Probation office while she was a CYS employee? 1 A. No. 1 Did you ever hear Mr. Graham use that terminology, Barb 1 or Barb 2? 1 A. No. 1 Did you ever hear Mr. Graham use that terminology, Barb 1 or Barb 2? A. No. 1 Vou never inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. A. No, but I certainly understood its meaning. A. No, but I certainly understood its meaning. A. Not to my recollection. Did you ever hear Mr. Graham use that terminology, Barb 1 or Barb 2? A. No. You never inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. A. Ocertainly. A. Certainly. A. Certainly. A. Are we talking about a time period that's still while	9	A.	I don't recall.	9		
12 A. No. 13 Q Did you ever hear Mr. Graham recommend her for hire in 14 the Probation office while she was a CYS employee? 15 A. Not to me. I don't know if he recommended her or not. 16 I don't recall him making that statement to myself. 17 Q Do you know that he recommended her to anyone else for hire within the Probation office? 18 A. I wouldn't be privy to that information. I don't know, really. 20 When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? 21 Q By the way, all the questions I've asked about Graham's 22 What else did you understand? 23 A. Are we talking about a time period that's still while	10	Q		10	Q	
13 Q Did you ever hear Mr. Graham recommend her for hire in 14 the Probation office while she was a CYS employee? 15 A. Not to me. I don't know if he recommended her or not. 16 I don't recall him making that statement to myself. 17 Q Do you know that he recommended her to anyone else for 18 hire within the Probation office? 19 A. I wouldn't be privy to that information. I don't know, 20 really. 21 Q When she was hired, was there any discussion within the 22 office that you participated in as to who had sponsored 23 her or urged her hiring within the office? 24 A. Not to my recollection. 25 Q By the way, all the questions I've asked about Graham's 26 A. No. 27 A. No. 28 You never inquired yourself as to what the joke was with 29 regard to the use of that phraseology? 20 Did you ever inquire of anybody else as to why are they 21 saying Barb 1 and Barb 2? 22 A. No, but I certainly understood its meaning. 23 A. Certainly. 24 Q What else did you understand? 25 Q By the way, all the questions I've asked about Graham's 26 A. Are we talking about a time period that's still while	11		her abilities while she was a CYS employee?	11	A.	•
the Probation office while she was a CYS employee? 15 A. Not to me. I don't know if he recommended her or not. 16 I don't recall him making that statement to myself. 17 Q Do you know that he recommended her to anyone else for hire within the Probation office? 18 A. I wouldn't be privy to that information. I don't know, 19 A. I wouldn't be privy to that information. I don't know, 20 really. 21 Q When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? 22 A. Not to my recollection. 23 By the way, all the questions I've asked about Graham's contact and so what the joke was with regard to the use of that phraseology? A. Did I understand what it was? Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. Q And other than the fact it was the two Barbs, did you understand anything else about its meaning? A. Certainly. Q What else did you understand? A. A. No. 4 A. No. 9 You never inquired yourself as to what the joke was with regard to the use of that phraseology? A. Did I understand what it was? A. No, but I certainly understood its meaning. Q And other than the fact it was the two Barbs, did you understand anything else about its meaning? A. Certainly. A. Certainly. A. A. No.	12	A.	No.	12	Q	-
15 A. Not to me. I don't know if he recommended her or not. 16 I don't recall him making that statement to myself. 17 Q Do you know that he recommended her to anyone else for hire within the Probation office? 18 A. I wouldn't be privy to that information. I don't know, 20 really. 21 Q When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? 22 A. Not to my recollection. 23 By the way, all the questions I've asked about Graham's contact and the properties of that you never inquired yourself as to what the joke was with regard to the use of that phraseology? 24 A. Did I understand what it was? 25 Q By the way, all the questions I've asked about Graham's contact anyone else for hire within the probation office? 26 A. Did I understand what it was? 27 A. Did I understand what it was? 28 A. Did I understand what it was? 29 Did you ever inquire of anybody else as to why are they saying Barb 1 and Barb 2? 29 A. No, but I certainly understood its meaning. 20 And other than the fact it was the two Barbs, did you understand anything else about its meaning? 29 A. Certainly. 20 What else did you understand? 21 A. Are we talking about a time period that's still while	13	Q	Did you ever hear Mr. Graham recommend her for hire in	13		
I don't recall him making that statement to myself. I don't recall him definition and the use of that phraseology? A. Did I understand what it was? I don't new inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. I don't new inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. I don't new inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. I don't new inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. I don't new inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. I don't new inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly understood its meaning. I don't new inquire of anybody else as to why are they saying Barb 1 and Barb 2? A. No, but I certainly und	14		the Probation office while she was a CYS employee?	14		
17 Q Do you know that he recommended her to anyone else for hire within the Probation office? 18 hire within the Probation office? 19 A. I wouldn't be privy to that information. I don't know, really. 20 When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? 21 A. No, but I certainly understood its meaning. 22 And other than the fact it was the two Barbs, did you understand anything else about its meaning? 23 A. Certainly. 24 A. Not to my recollection. 25 Q By the way, all the questions I've asked about Graham's 25 A. Are we talking about a time period that's still while	15	A.	Not to me. I don't know if he recommended her or not.	15	Q	
hire within the Probation office? A. I wouldn't be privy to that information. I don't know, really. Q When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? A. No, but I certainly understood its meaning. Q And other than the fact it was the two Barbs, did you understand anything else about its meaning? A. Certainly. What else did you understand? A. Are we talking about a time period that's still while	16		I don't recall him making that statement to myself.	16		-
19 A. I wouldn't be privy to that information. I don't know, really. 19 Yeally. 19 Saying Barb 1 and Barb 2? 20 A. No, but I certainly understood its meaning. 21 Q When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? 22 A. Not to my recollection. 23 A. Certainly. 24 A. Not to my recollection. 25 Q By the way, all the questions I've asked about Graham's and Barb 2? 26 A. No, but I certainly understood its meaning. 27 A. Certainly. 28 What else did you understand? 29 A. Are we talking about a time period that's still while	17	Q		17		
really. 20	18			18	Q	-
Q When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? A. Not to my recollection. By the way, all the questions I've asked about Graham's of the discussion within the office? And other than the fact it was the two Barbs, did you understand anything else about its meaning? A. Certainly. What else did you understand? A. Are we talking about a time period that's still while	1.0		I wouldn't be prive to that information I don't know	19		
office that you participated in as to who had sponsored her or urged her hiring within the office? A. Not to my recollection. By the way, all the questions I've asked about Graham's and anything else about its meaning? What else did you understand? What else did you understand? A. Are we talking about a time period that's still while	1	A.	I woman t be privy to that intolliation. I don't know,			No but I certainly understood its meaning.
her or urged her hiring within the office? A. Not to my recollection. By the way, all the questions I've asked about Graham's 25 A. Are we talking about a time period that's still while	19	A.	really.	1	Α.	,
24 A. Not to my recollection. 25 Q By the way, all the questions I've asked about Graham's 25 A. Are we talking about a time period that's still while	19 20	_	really. When she was hired, was there any discussion within the	1		And other than the fact it was the two Barbs, did you
25 Q By the way, all the questions I've asked about Graham's 25 A. Are we talking about a time period that's still while	19 20 21	_	really. When she was hired, was there any discussion within the office that you participated in as to who had sponsored	21	Q	And other than the fact it was the two Barbs, did you understand anything else about its meaning?
25 & By and truly, and the queen	19 20 21 22	_	really. When she was hired, was there any discussion within the office that you participated in as to who had sponsored	21 22	Q	And other than the fact it was the two Barbs, did you understand anything else about its meaning? Certainly.
	19 20 21 22 23	Q	really. When she was hired, was there any discussion within the office that you participated in as to who had sponsored her or urged her hiring within the office? Not to my recollection.	21 22 23 24	Q A. Q	And other than the fact it was the two Barbs, did you understand anything else about its meaning? Certainly. What else did you understand?

		Page 17			Page 19
		_ 	1		happy with me.
1		Mrs. Varner is at CYS?	1	^	Can you tell me what those gestures are?
2	Q	Yes.	2	_	Maybe the way he looks at me in passing, the few times
3	A.	No. I've never heard it at that time.	3	A.	we've had passing. Or I know on occasion — I work a
4	Q	While she was a CYS employee did you ever hear anyone	4		second and third job, actually performing security where
5		within the office speculate that Mr. Graham and/or	5		his daughters go to school, and I have to have passing
6		Mrs. Varner and Mr. Graham were anything other than	6		with him and I can it's obvious that he has
7		business colleagues?	7		displeasure for my presence. But he has done nothing to
8	A.	Never.	8		
9	Q	Never heard any rumors, suggestion or speculation that	9	_	harm me. What have you heard from third parties?
10		they dated or had any kind of sexual	10	Q	What have you heard from third parties.
11	A.	No.	11	A.	
12	Q	connotation to their relationship?	12	_	anything to do with his departure from the
13		No.	13	Q	Did you have anything to do with his departure from the
14	0	And never thought so yourself?	14		office?
15	A.	Again, as a CYS worker?	15	A.	Absolutely not. I spoke with Judge Hoffer, who demanded
16	Q	Yes.	16		that I meet with him, and we spoke about Gary.
17		No.	17	Q	Do you recall when this was?
18	0	Did you ever hear Mr. Graham talk about having affairs	18	A.	I couldn't remember the date but I can tell you I
19	~	with anyone?	19		remember the day very well.
20	A	No.	20	Q	Tell me what you remember about the day.
21	Q.	Has he ever divulged to you that he had an affair?	21	A.	I was about to have a six-month review hearing for a
22	_	No.	22		person placed in Philadelphia. Courtroom was full of
	Q.	Has he ever divulged to you that he had any interest in	23		people. I can remember the kid. Judge Hoffer came out
23	Ų	any woman other than his wife?	24		of chambers, pointed at me, said: Get in my office now.
24 25	A	Well, Gary and I shared a friendly relationship at one	25		Everyone looked at me as if what did you do now.
23		Page 18			Page 20
		_	1		And I proceeded to go Judge Hoffer's chambers, where we
1		time where we joked about maybe a college fling or	2		had a very long conversation while the entire courtroom
2		something like that, but anything post marriage, I	3		waited for us for over an hour to maybe closer to two
3		don't no, emphatically no.	4		hours.
4	Q	You say you shared a friendly relationship at one time.	5	Q	my that are recall about that one- to two-hour
5	A	. I would say from the day I was hired as an intern up	6	Q	conversation.
6	·)	until shortly before his departure from the Juvenile	7	A	to meeting of Rorb dating
7	•	office. Friendly, I would say friendly.			Gary and the relationship between the two of them. I
8	Q	Nonetheless, you used past tense. Do you have a	8		don't think he - if he did, I apologize, but I don't
9)	friendly relationship with him today?			remember him even asking that.
10) A	. I don't not anything on my part, but I'm fearful	10		0.1
11	l	that, no, we do not have any friend we no longer have	11		- who does what
12	2	a friendly relationship.	12		within your department. And it was as if he was for the
13	3 Ç		13		first time trying to learn our hierarchy and whose
14	4 A	. We don't have contact.	14		performance and who's responsible for and those types of
1:	5 (Was there any change in it other than you don't have	15		questions.
1		contact?	16		have been after the split?
1	7 A	. Not on my part.	17	7 (A. I believe so. I believe it was in '97.
1	8 (On Mr. Graham's part?	18		the who does what it was who does
1	9 <i>A</i>	. Only through what I hear from friends, statements that	19		what within Juvenile Probation?
2		are said.	20		
2		Nothing that he has ever personally said to you?	2		A. Correct. I'm sorry. What else do you recall about the conversation?
- 1		A. Never in words, no.	22	2 (A. I really think it was more generated towards
		In anything other than words?	2.		A. I really utilik it was inote generated to wards
i	4	A I don't think he he has displayed behavior or just	24	4	Mr. Osenkarski than it was towards Mr. Graham.

25

A. I don't think he -- he has displayed behavior or just

gestures that I can, that I would take that he is not

24

25

4

5

6

7

8

9

10

11

12

13

14

15

16

Page 2	25
--------	----

- A. I may answer that question differently now than I would 1 have actually to Judge Hoffer then. But to senior 2 members of the Juvenile staff at that time and myself 3 not being a senior member at that time, my perception 4 would have been they had a gravy detail in comparison to 5 what I had at the current time. If we were able to move 6 to 2003 I'm sure there's a lot of 20-year-olds 7 downstairs who think I'm sitting in a gravy position as 8 we speak. So, perception and age may have changed my 9 opinion on that. 10
- 11 Q Is a gravy position reduced caseload?
- A. I wouldn't say reduced caseload, but it's not difficult 12 to determine the volatility of a case at the beginning, 13 and should one set of people get -- it would be very 14 hard to put this in and show this for anyone to 15 understand it, but comparing apples to apples, those of 16 us in the profession, we would understand who has a more 17 difficult caseload, so to speak, in terms of more 18 difficult juveniles versus someone who is supervising a 19 phrase I use, cupcake type kids who do not require quite 20 the level of supervision. 21
- Q And to the degree that you observed this distinction, itwas between old timers and newer probation officers?
- A. Myself being a newer one at the time, relatively speaking.

Page 26

- 1 Q Was the distinction, in your mind, limited to the 2 distinction between old timers and new officers? Or 3 political allies and political enemies?
- political allies and political enemies?

 4 A. It just so happened that it was more senior members. So
- in your words, the two specifically older employees who
 had the positions of intensive officers at the time who
- had the positions of intensive officers at the time who had many more years of working there than myself, I, my
- 8 opinion was that they were given a much lighter detail
- 9 than myself. But now again, looking back at that
- 10 through older eyes I understand how perceptions change.
- 11 Q When Mrs. Varner first came on board as a probation 12 officer, did you at that time observe her interactions
- with Mr. Graham?
- 14 A. I'm sorry, I didn't understand the second part.
- When she came first came on board as a probation officer, did you observe her interactions with Graham at that time?
- 18 A. Yes.
- 19 Q All right. And did she seem to work more closely with Graham than other senior probation officers?
- A. I don't believe I was a senior probation officer at the time, I believe Barb came in '95. But to answer your
- question, my opinion was, yes, she did work closer with
- 24 him.
- 25 Q And how would you describe their working relationship

Page 27

- when they were both probation officers together?
- 2 A. Very friendly.

together.

- 3 Q Can you explain that in any greater detail?
 - A. There was a period of time, I don't know the length, that there was obviously some type of relationship. And I use that word in the broadest sense, I'm not insinuating, but there were certainly friendly relations. And it was for a long period of time, maybe a year or more, and they certainly spent a lot of time

Now, to make sure we understand, I mean, my office partner and I have been together for 13 years, and someone could say that he and I spend a lot of time together more so than me and my wife, unfortunately. So that could be just out of — I say that in a very broad sense of relationship.

- 17 Q There are office partners who get along better with each other than other office partners; is that right?
- 19 A. Yes, sir.
- Q All right. And you're saying that the relationship
 between Graham and Varner appeared to be one that was a
- very friendly working relationship, they got along
- 23 extremely well together?
- 24 A. Yes.
- 25 Q And from your observation, those feelings were mutual?

Page 28

- 1 A. Yes.
- Q But your observations did not include any sexualovertones?
- 4 A. No.
- 5 Q And that relationship at some point changed?
- 6 A. Yes, it did.
- 7 Q It had changed, in looking back at it from the vantage 8 point of several years, was that change an abrupt 9 change?
- 10 A. I didn't see any signs of a change, but there was a day,
- a specific day which seemed to be a change. Don't ask
- me the date because I wouldn't recall, but there was one
 - day specifically where there appeared to be great hostility.
- 15 Q The change was abrupt enough it seemed almost overnight to you; is that what you're telling me?
- 17 A. Yeah. I didn't see anything from my vantage point that changed their relationship.
- 19 O But nonetheless, you observed a change?
- 20 A. Yes.

13

14

- 21 Q In a sense there was almost an overnight change?
- 22 A. Correct.
- 23 Q That's what you're saying, okay. And after you observed
- that overnight change, how did Mr. Graham treat
- 25 Mrs. Varner?

_			T	0	
		Page 29	1		Page 31
1	A.	I think he was - he distanced himself from her. But l	1	A.	Other than that day?
2		didn't see from firsthand knowledge him treating her in	2	Q	Yes.
3		any manner they were not friendly any longer, but I	3	A.	No.
4		didn't see anything from, again, my point where it was	4	Q	All right. Do you ever recall Mr. Graham doing anything
5		anything other than there was a separation.	5		towards Mrs. Varner after that day which in the broadest
6	Q	You personally didn't see him yell at her?	6		sense of the word would constitute sexual harassment?
7	A.	I heard him on one occasion, and again, the day where	7	A.	No.
8		there was a something significant changed, where the	8	Q	Did you ever recall Mr. Osenkarski, by the way, ever
9		two of them were alone in an office in the middle of our	9		doing anything towards Mrs. Varner that in the broadest
10		main office, so it would be very difficult for many not	10		sense of the word would constitute sexual harassment?
11		to have heard it had you been in the Department on that	11	A.	I don't recall, no.
12		specific day, and again, I don't know the day, where the	12	Q	Did you ever observe Mrs. Varner being treated in a
13		both of them were very upset. And I don't know if it	13		manner you thought was unfair after that day by
14		was yelling but it was definitely above normal	14		Mr. Graham?
15		conversation that everyone could hear. The details, I	15	A.	No.
16		don't know. And it was something that went on, whatever	16	Q	By Mr. Osenkarski?
17		the conversation was, I recall coming in and out of my	17	A.	No.
18		office and it was still continuing. So it wasn't a	18	Q	Have you ever observed any female probation officer
19		30-second thing, it's something that took place for a	19		being treated in a manner that you thought was unfair by
20		while.	20		either Graham or Osenkarski?
21	0	But you didn't hear any detail of the conversation?	21	A.	No.
22	-	I didn't want to, to be honest with you.	22	Q	Your conversation with Judge Hoffer, how did it end?
23		I understand that you didn't want to. Did you	23	-	About as violently as it began. I refused to answer any
24	~	nonetheless hear any detail of the conversation?	24		of his questions to begin with. He and I have a
25	A .	Not that I recall.	25		personal relationship, so it was very or difficult.
-		Page 30			Page 32
	^	Do you have any idea what the dispute was about?	1		I think he told me that should I need to come talk to
1	Q	•	2		him any longer or anymore, that his door was open, which
2		No, not at all.	3		that's par for the course.
3	Q	Did the dispute seem mutual?		0	I'm sorry, please continue.
4		That's hard to answer. Like myself	4		I don't recall exactly how it ended, but something,
5	Q	Let me rephrase it. Did the tone of voice of both	5	А.	-
6		parties appear upset or agitated?	6		should I need to approach him about anything that we
7	A.	Gary's did. But Gary has much like myself, speaks very	7	^	discussed, that his door was open.
8		loudly so that the entire office will hear it. And that	8	Q	Did you have any understanding at the time of that
9		was par for the course for either me or Gary. So it was	9		conversation whether the Varner-Graham dispute was a
10		loud. And he gets very excited when he discusses			catalyst for the conversation?
11		things, and so I don't think it was completely out of	11		Sure.
12		the norm for Gary.	12	Q	And what was your sense of why it was a catalyst?
13	Q	How about Mrs. Varner, was her tone of voice out of the	13	Α.	Well, if I recall, my knowledge is fairly limited, but
14		norm for her?	14		if I recall, before Judge Hoffer became president judge,
15	A.	Well, she was behind closed doors, and she doesn't have	15		this was an issue that was before Judge Sheely. The
16		a voice that carries like Mr. Graham's, so I don't	16		details of what took place in front of Judge Sheely, I
17		remember hers.	17		don't recall. But I remember that my thoughts were
18	Q	I had understood you to mean that it sounded like both	18		he had made a final determination on this in some way,
19		were upset, and what I'm trying to get at is what you	19		he retired, Judge Hoffer became president judge, and all
20		know about how Mrs. Varner exhibited being upset.	20		of a sudden this was an issue again before Judge Hoffer.
21	A.	As I said, both their voices seems to be elevated, and	21		So, yes, I had some prior knowledge, but I don't know
22		that's the only way I could offer that I knew that both	ı		that I knew intimate details.
23		were not having an average day.	23	Q	Did Judge Hoffer tell you at the end of the conversation
24	Q	But office that, you are also also also also also also also also	24		he was going to implement any changes?
las		valling at Mrs. Varnar?	25	A	Absolutely not

25 A. Absolutely not.

25

yelling at Mrs. Varner?

		Case 1:01-cv-00725-YK Document 02	Pa	e ^{Tl}	Filed 12/29/2003 Page 9 of 11
		Page 33	>		Page 35
		9	1	Α.	No. She may have I don't recall us having a
1	Q	Were you aware that Mr. Graham had been suspended by	2		conversation in detail. No, I really don't think we've
2		Judge Sheely for three days?	3		really talked about it other than maybe I had a, you
3	A.	I think. There's a it's common knowledge now. I	4		know, a hearing or someone else had gone through this
4		don't know if I knew at the time. I believe I did,	5		and she mentioned that I would be next, or something
5		because there was a joke in the office that he was	6		like that. But nothing in depth.
6		suspended with pay, and we I'm sorry to bore you, but	7	0	Has she ever asked you to provide any assistance with
7		we joked that if we ever want to get suspended in the	8	Ų	regard to this litigation?
8		office we hope that it's with pay, I would take that	9	A	No.
9		kind of suspension. So that's the jest and that's the	-	0	Indicated that you would be called to testify as a
10		context now I knew that he was sasp	10	Ų	witness on her behalf or as part of this litigation?
11	Q	In what context did you understand the reason for the	11		I don't believe so.
12		suspension?	12		Have you ever talked to her attorney, Ms. Wallet, about
13	A.	I knew it was involved with Barb in some shape or form	13	Q	any facts regarding this case?
14		but I didn't know details.	14		
15	Q	When did you first become aware of any allegation,	15	_	No. Have you ever provided any written statement to anybody
16	_	contention or rumor that a sexual affair had existed	16	Q	Have you ever provided any written statement to any obtay
17		between the two?	17		regarding the facts of this case?
18	Α.	I think during their friendship, the period of time that	18	Α.	I met with an attorney, as many of us did, many years
19		I would describe as a friendly relationship.	19		ago downstairs somewhere. I don't recall the
20	o	And in what sense did you become aware? Was it	20		gentleman's name; I could picture him.
21	~	something	21	Q	
22	Δ	I think anyone of reasonable suspicion, maybe I'm not,	22		statement to anybody?
23	11.	but seeing a man and a woman spending that much time	23	A	. No.
24		together that hadn't previously, there was thoughts in	24	Q	
25		the back of my mind that is this something that's more	25		common?
25		Page 34			Page 36
١.		than is this extracurricular.	1	A	. Unfortunately. Myself guilty as well.
1	_	that a thought you ever heard	2	Q	And is that something that's limited to the male
2	Q	All right. And was that a mought you are	3		probation officers, or is it both genders?
3		anybody else articulate?	4	A	. I think it's a product of the horrible environment that
4		Sure.	5		we work with.
5	Q	Okay. Was that a thought you heard articulated	6		So it would be both genders?
6		generally within the office?	7	-	A. Yes.
7		. Yes.	8	_	And can you describe for me that horrible environment?
8	Q	And were there adherents both pro and con as to whether	9		Well, we deal with people who inflict harm on others on
9		or not an affair was going on?	10		a daily basis, and go into the homes that others would
10	A	. I think everyone stayed the hell out of it, quite	11		feel are very less desirable, and common language for
11		frankly. I don't recall. I think it was just general	12		them is four-letter words. And I think to a certain
12		suspicions and the rumor mill of an exceptionally small	13		degree, whether you like it or not, you begin to assume
13		office.	- 1		some of that.
14	Ç	When the relationship changed so abruptly between the	11 12	T T 4	and the developed and environment within the
15		as you've described, was there any subsequent rumor that	1:		Probation office is different from a regular busines
16	i	the affair must have ended, to explain this sudden	10		office not involved in the criminal justice procedure?
17	,	change in the relationship?	1	<i>1</i>	A. I would argue well, not in a police department, but I
1			13	Α.	A. I would at gue well, not in a possible appropriate

18

19

20

21

22

23

24

25

A. Yes, but I mean, no one knew anything firsthand.

Did Mrs. Varner ever discuss with you that she was going

to file a complaint against Graham for sexual

Has she ever discussed her current case with you?

A. There was a lot of hypothesizing, yes.

Q But there was speculation about it?

harassment?

A. I don't recall.

would argue that, yes. 19 And would you argue that such an environment is more 20 stressful than --21

A. I would argue -- well, not in a police department, but I

A. Absolutely. 22

And that the job of a probation officer is more 23 stressful inherently than somebody not involved in the 24 criminal justice system? 25

		Multi	1 4	<u>s · </u>	
		Page 77			Page 79
1		treatment was different after she made the complaint?	1		And I just perceived that to be Gary's disinterest or
2	A.	No.	2		not disinterest, but being upset with me.
3	0	Do you believe that the females were treated the same as	3	Q	Do you believe this was a deliberate act directed at
4	`	the male probation officers? And I'm talking about the	4		you?
5		same time frame up until the split.	5	A.	I don't think he tripped.
6	Α.	Yes.	6	Q	Do you believe it was a deliberate act directed at you?
7		Did you see any difference in which the females were	7	A.	Yes.
8	•	treated as opposed to the male probation officers?	8	Q	And why do you think he took that action?
9	Α.	The only difference in that you would rarely see a	9	A.	Out of frustration.
10		female probation officer assigned a male of incredible	10	Q	Did you take it to be threatening?
11		physical stature, for obvious reasons. I don't recall	11	_	I'm not afraid.
12		any of our female probation officers receiving	12	0	Did you believe Mr. Graham intended it to be threatening
l		exceptionally large men that they might have to arrest	l		to you?
13		some day. Other than that, no.	14		MR. ADAMS: Objection.
14	^	Were there any rules about when commitment trips needed	15		MS. BLANCHARD: Objection.
15	Q	to start? Do you understand the question?	16		MR. ADAMS: Requires speculation.
16			17	RV	MS. WALLET:
17		The time of day?	18	0	You may answer.
18	Q	Yes.	l	_	Possibly.
19	A.	I guess it would depend on whether or not there was a	19		Why do you think Mr. Graham did this?
20		court proceeding the same day, or if the commitment was	20	Q	Frustration.
21		on a day some day later than a court process. It was	21	Α.	
22		at the to easily answer it, it was always at the	22	D. 7.	MS. BLANCHARD: Objection.
23		discretion of the probation officer. We were never	23		MS. WALLET:
24		questioned because, I mean, it took up a great deal of	1	-	Was he frustrated at you?
25		your time, so I mean, it had to fit your own schedule.	25	Α.	I think Gary perceives me as being a portion of or a
		Page 78			Page 80
1	Q	All right. So that when you had an assignment for	1		part of or a percentage of where he is at the current
2		taking a juvenile to someplace for commitment, you would	2		time.
3		use your professional judgment as to when you would	3	Q	And that meaning?
4		leave and when you would return?	4	A.	Where his place of employment is.
5	A.	Sure.	5	Q	Do you know whether Mr. Graham knew that you had had
6	0	Did anyone ever tell you that you needed to start those	6		this conversation with Judge Hoffer about what happened
7		commitment trips only at eight o'clock in the morning?	7		in the office?
8	Α.	No, because I as a rule woke up very early in the	8	A.	I had only heard rumors that his perception was that I
9		morning to do them, so I know that no one could have	9		willingly went to Hoffer to offer opinions or what have
10		told me not to.	10		you about him. But again, that got to me through
11	0	Were there times when you left for commitment trips	11		rumors. He had never said that to me.
12	~	prior to 8:00 a.m.?	12	Q	Had you observed Mr. Graham to engage in conduct which
13	A.	All the time.	13		could be described as punishing?
14	Q	Now, did you have an incident in a stairway with	14	A.	Not to me.
15	~	Mr. Graham in which you and he had some discussion?	15	Q	Was it understood within the office that Mr. Graham
16	A	No words were said.	16	-	would reward or punish individuals depending upon his
17	Q.	What happened?	17		perceived his perception of their loyalty to him?
18	A.	I don't recall the date. It was within the last two	1	A.	I never heard that.
19	л.	years. I was walking down a staircase within the		Q	Did Mr. Graham ever make any other threatening gestures
20		building here. Simultaneously, Gary had come out of a	20	•	to you?
21		door a half a staircase above me. As he came down and I	21		MR. ADAMS: Objection. Has it been described as
1		was walking up, when he went to turn the staircase, he	22		threatening? I don't think it's been characterized as
22		struck with his hand the metal railing hard enough that	23.		threatening.
23		I thought he may have hurt his hand but he must have hit	24		MS. WALLET: I'll withdraw that.
24 25		it with a ring because it created a very loud noise.	25	RY	MS. WALLET:
175		it with a ring because it created a very loud hoise.	رس ا	<i>D</i> I	A140. 114 A2404.

					D 00
		Page 81			Page 83
1	Q	Did Mr. Graham ever engage in any other conduct such	1	-	Yes, sir.
2		as what you described in the stairwell that might be	2		Sure.
3		threatening to you?	3		Which female probation officers used the F word?
4		MR. ADAMS: Objection again. You may answer.	4		Are we talking about repeating what someone else said?
5		THE WITNESS: On one occasion as employed as a	5		Or just as a part of their normal vernacular?
6		security officer at the Trinity High School, I knew that	6	-	Let's take it separately. There might be occasions when
7		his daughter was there for a dance, I believe it was a	7		a female probation officer would repeat what had been
8		dance. And I had been working there doing security type	8		said to her or in conversation with someone that was
9		things for them for several years and have watched, I	9		being supervised, correct?
10		can't remember the names of his daughters anymore, but I	10	A.	Um-hum.
11		know that one shows up for functions, not very often,	11	Q	Okay. Were there other instances where female probation
12		but I do see Gary occasionally. And generally Gary or	12		officers used the F word directed at someone or in
13			13		conversation?
		On that particular night I think Gary knew that I		A.	I don't recall specifically.
14		was there, either that he saw me, I knew that he knew	15		Did you ever hear Ms. Varner use the F word?
15		I was there. And he was one of the very last people	16	-	No.
16		I was in the parking lot. I had left the school walking	17	0	You've known her for 10 or 12 years?
17			Į.	-	13, almost.
18		out to my vehicle and sat in it. And the parking lot	19	0	Okay. Are you fairly familiar with her speech patterns?
19		had cleared. And Gary picked up his daughter and I	20	•	Yes.
20		believe her date or a friend, and had people in the car.			Does she use foul language?
21		And as he turned to depart the parking lot, he drove	21	Q	No.
22		within half of a car's length beside me, passing me.	22		Can you think of any other female probation officers
23		I don't know if it was intended in a threatening	23	Q	that would have used the F word in some direct address'
24		manner, but he could have exited the parking lot by many	24		
25		hundreds of feet in any other direction, and he chose to	25	Α.	No.
		Page 82			Page 84
1		drive right past my vehicle, I don't know, to show that	1	Q	Was it used by the male probation officers?
2		he knew I was there or what. But that's the only other	2	A.	Yes.
3		incident.	3	Q	Was it used in front of the female probation officers?
4	Q	Did you believe your safety at that time was threatened?	4	A.	I'm sure it has on occasion.
5	-	No.	5	Q	Are you familiar with the reputation of Mr. Graham
6	Q.	Did you believe the act was deliberate?	6		within the Adult Probation office?
1		Yes.	7	A.	Reputation?
7		Why did you believe that act was undertaken by	8	Q	What do the Adult probation officers think of
8	Q	Mr. Graham at that time?	9		Mr. Graham?
9		MR. THOMAS: Objection. Why did he believe	10	A.	I only know that he has conversations with them about
10		Mr. Graham believed?	11		this entire process and I think they are generally tire
11		MS. WALLET: Yes.	12		of that, but other than that, I don't know. No one
12		MR. THOMAS: You're asking him to speculate as to	13		talks about him. I think many of them, as the office
13		Mr. Graham's state of mind?	14		has evolved and changed, didn't even know about the
14			15		whole thing and probably are fairly clueless
15		MS. WALLET: I am.	16	O	Would you say that Mr. Graham has a reputation for being
16		MR. THOMAS: I'm going to object.	17	V	an excitable individual?
17		You can answer.	18	A	Yes.
18		Y MS. WALLET:	1		D 1 1
19			19	Q	individual?
20	A.	Just so that I knew that he knew that he was there, if		4	Violent?
21		you understand what I mean by that.	21		
22	Q	You said that bad language was pretty customary in this	22	_	Yes.
23		office. Did you hear bad language from the female			No. Does he have a reputation for punishing individuals who
123		analysis officers?	124	Q	Does he have a reputation for punishing individuals will
24		probation officers? You mean in the form of a four-letter word?	1 -	~	he perceives not to side with him?